

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

James Adams,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:12cv219
vs.	:	
	:	Chief Judge Susan J. Dlott
J. Sparks, et al.,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on May 24, 2013 (Doc. 56), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired June 10, 2013, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's motion to dismiss pursuant to Rule 41(a)(2) (Doc. 53) is **DENIED** and this case is **DISMISSED** without prejudice, subject to reinstatement on the docket of the Court upon a determination by the Ohio Court of Claims that the defendant officers' conduct was manifestly outside the scope of their employment or that the defendant officers acted with a malicious purpose, in bad faith, or in a wanton or reckless manner.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court